

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYREE TUCKER,  
Petitioner,

CIVIL ACTION

v.

D.B. OBERLANDER,  
THE DISTRICT ATTORNEY OF THE  
COUNTY OF PHILADELPHIA, and  
THE ATTORNEY GENERAL OF THE  
STATE OF PENNSYLVANIA,  
Respondents.

NO. 19-2534

**ORDER**

**AND NOW**, this 14th day of August, 2020, upon consideration of Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus, filed by *pro se* petitioner, Tyree Tucker (Document No. 2, filed June 10, 2019), the Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated December 13, 2019, and the Motion of Objections [sic] to U.S. Magistrate Judge Report and Recommendation dated for 12/13/19 (Document No. 15, filed March 9, 2020), **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated December 13, 2019, is **APPROVED** and **ADOPTED**;
2. Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus, filed by *pro se* petitioner, Tyree Tucker, is **DISMISSED** as untimely filed;
3. *Pro se* petitioner's Motion of Objections [sic] to U.S. Magistrate Judge Report and Recommendation dated for 12/13/19, treated as objections, are **OVERRULED** for the reasons stated in the Report and Recommendation with which the Court is in complete agreement. Specifically, the Court concludes that *pro se* petitioner is not entitled to statutory or equitable tolling of the statute of limitations.

**IT IS FURTHER ORDERED** that a certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**IT IS FURTHER ORDERED** that the Clerk of Court shall **MARK** this case **CLOSED**.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**